

RCE/K17
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TECH CENTER 1600/2900
MAY 29 2003
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U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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**REQUEST
FOR
CONTINUED EXAMINATION (RCE)
TRANSMITTAL**

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000,
provides for continued examination of a utility or plant application
filed on or after June 8, 1995,
See the American Inventors Protection Act of 1999 (AIPA)

Application Number	09/763,983
Filing Date	February 28, 2001
First Named Inventor	Thomas Gilchrist
Group Art Unit	1617
Examiner Name	Lauren Q. Wells
Attorney Docket Number	8830-125

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

NOTE: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53(d) (PTO/SB/29) instead of an RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE Practice.

1. Submission required under 37 C.F.R. § 1.114

- a. ☐ Previously submitted
- i. ☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on.
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
- iii. ☐ Other _____
- b. ☒ Enclosed
- i. ☒ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☐ Other _____

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2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of _____ months (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)
- b. Other _____

3. Fees The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

- i. ☒ RCE fee required under 37 C.F.R. § 1.17(e).
- ii. ☐ Extension of time fee (37 C.F.R. §§ 1.136 and 1.17) for third month extension.
- iii. ☐ Other _____
- a. ☐ The Director is hereby authorized to charge the indicated fees to Deposit Account No. _____
- b. ☒ A checks in the amount of: \$ 750.00 _____ are enclosed to cover the indicated fees.
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)
- d. ☒ Please charge any additional fees, or credit any overpayment, to Deposit Account No. 50-0573.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	Daniel A. Monaco	Registration No. (Attorney/Agent)	30,840
Signature		Date	5-23-03

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

Name (Print/Type)	Jackie Williams		
Signature		Date	5/23/03

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PATENT
Attorney Docket No 8830-125 US
(formerly MUR-8564US)

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Gilchrist et al

Serial No : 09/763,983

Examiner : Wells, Lauren

Filed : February 28, 2001

Art Unit : 1617

For : FOAMABLE FORMULATION AND FOAM

AMENDMENT ACCOMPANYING REQUEST FOR
CONTINUED EXAMINATION

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

S I R:

In response to the Office Action dated February 26, 2003 we hereby file the accompanying amendments.

Kindly amend the claims of the above-identified patent application, without prejudice as

CERTIFICATE OF MAILING UNDER 37 C.F.R. 1.8(a)	
I hereby certify that this paper, along with any paper referred to as being attached or enclosed, is being deposited with the United States Postal Service on the date indicated below, with sufficient postage, as first class mail, in an envelope addressed to: Commissioner for Patents, Alexandria, VA 22313-1450.	
BY	<u>Jackie Williams</u>
DATE:	<u>5/23/03</u>

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